

REMARKS

This Amendment is being filed in response to the Final Office Action mailed July 23, 2008, which has been reviewed and carefully considered. Reconsideration and allowance of the present application in view of the amendments made above and the remarks to follow are respectfully requested.

Claims 1-13, 15-29, 31 and 33-35 remain in this application, where claims 30 and 32 have been canceled without prejudice, and claims 33-35 have been added.

In the Office Action, claims 21-25 and 29-30 are rejected under 35 U.S.C. §112, first paragraph as allegedly failing to comply with the written description requirement. Without agreeing with the position forwarded in the Final Office Action, and in the interest of advancing prosecution, independent claim 21 has been amended for better clarity. It is respectfully submitted that the rejection of claims 21-25 and 29-30 has been overcome and an indication as such is respectfully requested.

In the Office Action, claims 1, 3-4, 9-10, 13, 15 and 26 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over

U.S. Patent No. 6,901,210 (Heo) in view of by U.S. Patent No. 6,693,869 (Ballantyne) and U.S. Patent No. 6,636,958 (Abboud). Claim 2, 5, 7-8 and 11-12 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud and U.S. Patent Application Publication No. 2002/0181376 (Acker). Claim 6 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud and U.S. Patent Application Publication No. 2002/0131767 (Auwens). Claims 16-17 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud and U.S. Patent Application Publication No. 2003/0103429 (Senshu). Claim 18 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud and U.S. Patent No. 6,792,437 (Rafanello). Claims 19-20 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud and U.S. Patent Application Publication No. 2003/0009334 (Printz). Claims 21-24 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Acker in view of Heo, Ballantyne and Abboud. Claim 25 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Acker in

view of Heo, Abboud and U.S. Patent Application Publication No. 2002/0064111 (Horie). Claims 27 and 31 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud and U.S. Patent No. 6,081,447 (Lofgren). Claims 28 and 32 are rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Heo in view of Ballantyne, Abboud and U.S. Patent Application Publication No. 2003/0033051 (Wilkes). Claim 29 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Acker in view of Heo, Abboud and Lofgren. Claim 30 is rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Acker in view of Heo, Abboud and Wilkes. It is respectfully submitted that claims 1-13, 15-29, 31 and 33-35 are patentable over Heo, Ballantyne, Abboud, Acker, Auwens, Senshu, Rafanello, Printz, Horie, Lofgren and Wilkes for at least the following reasons.

On pages 22-24 of the Office Action, in rejecting claims 28, 30 and 32, the Examiner correctly noted that Heo, Acker, Ballantyne and Abboud, do not disclose or suggest that "said access means is further configured to present an application with the predetermined navigation area for writing desired data in the predetermined

navigation area for allowing the drive device to recognize a file on the record carrier without understanding content of the file," as recited in independent claim 28, and similarly recited in independent claims 30 and 32. Wilkes is cited in an attempt to remedy the deficiencies in Heo, Acker, Ballantyne and Abboud.

Wilkes is directed to a self-disentangling data storage technique where a program retrieves data using multiple different request types and interpreted in accordance with multiple different data formats so that the data is completely or partially re-constructed, thus minimizing problems caused by outdated data storage formats. That is, as specifically recited in paragraph [0023], the Wilkes program re-formats or translates the data to present it to an outside entity in another format.

In stark contrast, the present invention as recited in independent claim 1, and similarly recited in independent claims 21 and 26, amongst other patentable elements recites (illustrative emphasis provided):

wherein said access means is further configured to see all files of multiple formats included in the record carrier including recognizing a file having one format on the record carrier without understanding

content of the file, and ignoring the file having the one format.

Recognizing a file having one format on the record carrier without understanding content of the file, and ignoring this file having this format are nowhere taught or suggested in Heo, Acker, Ballantyne, Abboud and Wilkes, alone or in combination. Rather, Wilkes discloses to re-format or translate data to another format. Auwens, Senshu, Rafanello, Printz, Horie, and Lofgren are cited to allegedly show other features and do not remedy the deficiencies in Heo, Acker, Ballantyne, Abboud and Wilkes.

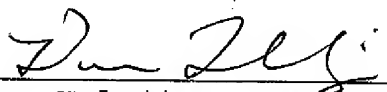
Accordingly, it is respectfully submitted that independent claims 1, 21 and 26 are allowable, and allowance thereof is respectfully requested. In addition, it is respectfully submitted that claims 2-13, 15-20, 22-25, 37-29, 31 and 33-35 should also be allowed at least based on their dependence from independent claims 1, 21 and 26.

In addition, Applicants deny any statement, position or averment of the Examiner that is not specifically addressed by the foregoing argument and response. Any rejections and/or points of argument not addressed would appear to be moot in view of the

presented remarks. However, the Applicants reserve the right to submit further arguments in support of the above stated position, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

In view of the above, it is respectfully submitted that the present application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

Respectfully submitted,

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